

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

As a preliminary matter, a typographical error was noted on page 2 of the Preliminary Amendment filed February 15, 2006. Some extra text was mistakenly included above claim 1. The text was clearly not part of the claims. This typographical error has been removed in the present Amendment.

In this Amendment no claims are canceled or amended, and claims 40-43 are added. As a result, claims 1-15, 17-22, 27-32 and 34-43 are now pending in the application.

In the Office Action of May 3, 2006, claims 1-5, 8-15, 17-22, 27-32 and 34 are rejected under 35 U.S.C. §103(a) in view of U.S. Patent 6,288,716 (Humpleman) further in view of U.S. Patent Publication 2003/0140090 (Rezvani). Claims 6 and 7 are rejected under §103(a) in view of Humpleman further in view of Rezvani and yet further in view of U.S. Patent 5,973,683 (Cragun).

§103 Rejection in view of Humpleman/Rezvani

The §103(a) rejection of claims 1-5, 8-15, 17-22, 27-32 and 34 is respectfully traversed, for at least the following reasons.

The present invention involves the user interface which a person may use to interact with, and control, an information appliance. Typically, the user interface can include “representations” such as backward and forward arrow keys, a keypad, a scroll bar or other such control representations for use in controlling and adjusting the information appliance. Figure 5 depicts

examples of user interface representations which may be used by a person to control and interact with the information appliances and remote devices.

The Office Action cites the Humpleman patent, contending that Humpleman teaches various features of the claimed invention. However, the Humpleman patent does not teach various features of the invention. For example, Humpleman does not teach a user interface on an information device for controlling that information device. Humpleman involves a system for command and control of a device in a network by sending commands from another device in the network having a client/server relationship with the device being controlled. Thus, Humpleman does not teach “a user interface for an information appliance,” as recited in claim 1.

In accordance with the present invention, user interface data for one device (a remote device) is sent through a network and received at another device (an information appliance). For example, claim 1 recites “receiving, through a network to the information appliance, user interface data describing at least one or more user interface functions of a remote device.” The Humpleman patent does not teach this feature. The Office Action contends that various portions of column 7 of the Humpleman patent disclose this feature. However, neither the cited portion nor any other portion of the Humpleman patent teach “receiving, through a network to the information appliance, user interface data describing at least one or more user interface functions of a remote device,” as recited in claim 1, or the similar features recited in claims 9, 13, 19 and 27. Humpleman does not have anything to do with user interface data for one device (a remote device) being sent through a network and received at another device (an information appliance). **In the event the rejection is maintained, it is respectfully requested that the next Office Action explain how Humpleman is being construed to teach this feature.**

The Office Action, at page 3, acknowledges that Humpleman does not teach to “comparing the user interface data with a user interface template of the information appliance,” as recited in claim 1. It would be impossible for Humpleman to compare the user interface data to anything since Humpleman does not teach user interface data for one device (a remote device) being sent through a network and received at another device (an information appliance).

After acknowledging that the Humpleman patent does not teach comparing the user interface data with a user interface template of the information appliance, the Office Action turns to the Rezvani patent application to overcome this deficiency of Humpleman. It is respectfully submitted that Rezvani does not overcome the deficiencies of the Humpleman patent mentioned above. The Rezvani patent application involves systems and methods for automatically capturing, uploading and publishing content. Rezvani mentions the use of a monitoring module 28 for remotely monitoring or controlling networked devices.¹ However, the Rezvani application does not overcome the deficiency of the Humpleman patent. For example, Humpleman and Rezvani, either taken singly or as a hypothetical combination, do not disclose or suggest “receiving, through a network to the information appliance, user interface data describing one or more user interface functions on a remote device, wherein at least some of the one or more user interface functions may be added to the information appliance from the remote device,” as recited in each of claims 1, 13 and 19. Humpleman and Rezvani also do not disclose or suggest “logic capable of receiving user interface data describing one or more user interface functions on the remote device through the network, wherein at least some of the one or more user interface functions may be added to the information appliance from the remote device,” as recited in each of claims 9 and 27.

¹ Rezvani, page 8, paragraph 0089.

Accordingly, the Humpleman patent and the Rezvani patent, either taken singly or as a hypothetical combination, do not teach or suggest the features of the claimed invention. Therefore, withdrawal of the rejection is requested.

§103 Rejection in view of Humpleman/Rezvani/Cragun

The §103(a) rejection of claims 6 and 7 is respectfully traversed, for at least the following reasons.

As discussed above in regard to the §103 rejection of claim 1, the Humpleman patent and the Rezvani patent do not teach certain features of the claimed invention. For example, neither Humpleman nor Rezvani teach “receiving, through a network to the information appliance, user interface data describing at least one or more user interface functions of a remote device,” as recited in claim 1, or the similar features recited in claims 9, 13, 19 and 27.

In the rejection of claims 6-7, the Office Action acknowledges that neither Humpleman nor Rezvani teach that the monitored interaction data includes an amount of time spent by the user interacting with a selected one of the representations. The Office then contends that the Cragun patent teaches this feature. Without addressing the merits of whether teaches this feature for which it is relied upon, it is respectfully submitted that Cragun fails to overcome the aforementioned deficiencies of Humpleman nor Rezvani. For example, Cragun does not teach or suggest “receiving, through a network to the information appliance, user interface data describing at least one or more user interface functions of a remote device,” as recited in claim 1, or the similar features recited in claims 9, 13, 19 and 27.

Accordingly, the Humpleman patent, the Rezvani patent and the Cragun patent, either taken singly or as a hypothetical combination, do not teach or suggest the features of the claimed invention. Therefore, withdrawal of the rejection is requested.

Deposit Account Authorization / Provisional Time Extension Petition

It is believed that no extension of time petition is required for this response. However, to the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571) 748-4765 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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